

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

UNITED STATES OF AMERICA,)	
Plaintiff,)	
)	
v.)	Case No. 1:17-cr-00224-AT-CMS
)	
ALLEN J. PENDERGRASS,)	
Defendant.)	

DEFENDANT’S AMENDED¹ PROPOSED VERDICT FORM

As to the following counts, we the jury unanimously find Defendant Allen Pendergrass:

Count	Date (On or About)	Mailing	
1	4/5/2013	Check in the amount of \$8,000 payable to Johnson, Coleman & Stephenson LLC C/o Asset Financial Recovery	Not Guilty _____ Guilty _____

If you find the Defendant guilty of Count 1, answer the following question. If you find the Defendant not guilty of Count 1, go to Count 2.

As to Count 1, we unanimously find that Defendant Allen Pendergrass used the following means or aided and abetted others in using the following means to commit this crime:

_____ materially false and fraudulent pretenses

_____ false and fraudulent representations,

_____ false and fraudulent promises

¹ Counts 7 through 10 amended.

_____ omission of material facts

Count	Date (On or About)	Mailing	
2	5/13/2013	Check in the Amount of \$76,636.28 payable to Asset Financial Recovery, Inc., C/O Georgia Municipal Association	Not Guilty _____ Guilty _____

If you find the Defendant guilty of Count 2, answer the following question. If you find the Defendant not guilty of Count 2, go to Count 3.

As to Count 2, we unanimously find that Defendant Allen Pendergrass used the following means or aided and abetted others in using the following means to commit this crime:

_____ materially false and fraudulent pretenses

_____ false and fraudulent representations,

_____ false and fraudulent promises

_____ omission of material facts

Count	Date (On or About)	Mailing	
3	5/13/2013	Check in the amount of \$26,874.42 payable to Asset Financial Recovery, Inc., C/O Long Weinbery, Ansley & Wheeler	Not Guilty _____ Guilty _____

If you find the Defendant guilty of Count 3, answer the following question. If you find the Defendant not guilty of Count 3, go to Count 4.

As to Count 3, we unanimously find that Defendant Allen Pendergrass used the following means or aided and abetted others in using the following means to commit this crime:

_____ materially false and fraudulent pretenses

_____ false and fraudulent representations,

_____ false and fraudulent promises

_____ omission of material facts

Count	Date (On or About)	Mailing	
4	5/13/2013	Check in the Amount of \$14,875.67 payable to Asset Financial Recovery, Inc. C/O James H. Bone, Trustee	Not Guilty _____ Guilty _____

If you find the Defendant guilty of Count 4, answer the following question. If you find the Defendant not guilty of Count 4, go to Count 5.

As to Count 4, we unanimously find that Defendant Allen Pendergrass used the following means or aided and abetted others in using the following means to commit this crime:

_____ materially false and fraudulent pretenses

_____ false and fraudulent representations,

_____ false and fraudulent promises

_____ omission of material facts

Count	Date (On or About)	Mailing	
5	5/13/2013	Check in the Amount of \$11,000 payable to Asset Financial Recovery, Inc., C/O Actors Express	Not Guilty _____ Guilty _____

If you find the Defendant guilty of Count 5, answer the following question. If you find the Defendant not guilty of Count 5, go to Count 6.

As to Count 5, we unanimously find that Defendant Allen Pendergrass used the following means or aided and abetted others in using the following means to commit this crime:

_____ materially false and fraudulent pretenses

_____ false and fraudulent representations,

_____ false and fraudulent promises

_____ omission of material facts

As to Count 6 (money laundering conspiracy), we the jury unanimously find the Defendant Allen Pendergrass:

_____ Not Guilty

_____ Guilty

As to Count 7 (aggravated identity theft) (S.J.), we the jury unanimously find the Defendant Allen Pendergrass:

_____ Not Guilty

_____ Guilty

If you find the Defendant guilty of Count 7, answer the following question. If you find the Defendant not guilty of Count 7, go to Count 8.

As to Count 7, we unanimously find that Defendant Allen Pendergrass used the following means or aided and abetted others in using the following means to commit this crime:

_____ knowingly transferred the name and signature of S.J. without lawful authority during or in relation to the commission of the mail fraud charged in Count 1.

_____ knowingly possessed the name and signature of S.J. without lawful authority during or in relation to the commission of the mail fraud charged in Count 1.

_____ knowingly used the name and signature of S.J. without lawful authority during or in relation to the commission of the mail fraud charged in Count 1.

As to Count 8 (aggravated identity theft) (L.C.), we the jury unanimously find the Defendant Allen Pendergrass:

_____ Not Guilty

_____ Guilty

If you find the Defendant guilty of Count 8, answer the following question. If you find the Defendant not guilty of Count 8, go to Count 9.

As to Count 8, we unanimously find that Defendant Allen Pendergrass used the following means or aided and abetted others in using the following means to commit this crime:

_____ knowingly transferred the name and signature of L.C. without lawful authority during or in relation to the commission of the mail fraud charged in Count 2.

_____ knowingly possessed the name and signature of L.C. without lawful authority during or in relation to the commission of the mail fraud charged in Count 2.

_____ knowingly used the name and signature of L.C. without lawful authority during or in relation to the commission of the mail fraud charged in Count 2

As to Count 9 (aggravated identity theft) (J.B.), we the jury unanimously find the Defendant Allen Pendergrass:

_____ Not Guilty

_____ Guilty

If you find the Defendant guilty of Count 9, answer the following question. If you find the Defendant not guilty of Count 9, go to Count 10.

As to Count 9, we unanimously find that Defendant Allen Pendergrass used the following means or aided and abetted others in using the following means to commit this crime:

_____ knowingly transferred the name and signature of J.B. without lawful authority during or in relation to the commission of the mail fraud charged in Count 4.

_____ knowingly possessed the name and signature of J.B. without lawful authority during or in relation to the commission of the mail fraud charged in Count 4.

_____ knowingly used the name and signature of J.B. without lawful authority during or in relation to the commission of the mail fraud charged in Count 4.

As to Count 10 (aggravated identity theft) (F.A.), we the jury unanimously find the Defendant Allen Pendergrass:

_____ Not Guilty

_____ Guilty

If you find the Defendant guilty of Count 10, answer the following question.

As to Count 10, we unanimously find that Defendant Allen Pendergrass used the following means or aided and abetted others in using the following means to commit this crime:

_____ knowingly transferred the name and signature of F.A. without lawful authority during or in relation to the commission of the mail fraud charged in Count 5.

_____ knowingly possessed the name and signature of F.A. without lawful authority during or in relation to the commission of the mail fraud charged in Count 5.

_____ knowingly used the name and signature of F.A. without lawful authority during or in relation to the commission of the mail fraud charged in Count 5.

SO SAY WE ALL.

DATE

FOREPERSON

Respectfully submitted this 27th day of November 2021.

/s/SARALIENE S. DURRETT

Saraliene S. Durrett

GA Bar No. 837897

Counsel for Mr. Pendergrass

CERTIFICATE OF SERVICE

This is to certify that the undersigned has this date electronically filed the amended proposed verdict form with the Clerk of the Court using the CM/ECF system which will automatically send email notification of such filing to the following attorney(s) of record:

All Defense Counsel

All AUSAs of record

Respectfully submitted this 27th day of November 2021.

/s/SARALIENE S. DURRETT

Saraliene S. Durrett

GA Bar No. 837897

Counsel for Mr. Pendergrass